



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

Paper No. 5

David J. Brezner, Esq.  
FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
Four Embarcadero Center, Suite 3400  
San Francisco CA 94111-4187

**COPY MAILED**

DEC 13 2002

**OFFICE OF PETITIONS**

In re Application of:  
Chu  
Application No. 10/023,205  
Filed: December 14, 2001  
Attorney Docket No.

**DECISION GRANTING  
PETITION**

This is a decision on the February 12, 2002 petition under 37 C.F.R. §1.10(c) requesting that the above-identified application be accorded a filing date of December 14, 2001 rather than the presently accorded filing date of December 17, 2001.

Petitioner alleges that the application was deposited in Express Mail service on December 14, 2001. In support, the petition is accompanied by a copy of Express Mail receipt no. EV031970521US (the same Express Mail number found on the original application papers located in the official file) showing a "date in" of December 14, 2001.

In view of the above, *this petition is **granted**.*

This application will be returned to Initial Patent Examination Division for correction of the filing date to December 14, 2001.

Telephone inquiries concerning this matter may be directed to the undersigned in the Office of Petitions at (703) 306-5593.

Scott M. Ledford  
Attorney  
Office of Petitions  
Office of the Deputy Assistant Commissioner  
for Patent Examination Policy